

## § 26.1

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### Subpart A—General Applicability

#### § 26.1 What terms do I need to know?

As used in this part:

*Bureau* means the Bureau of Indian Affairs (BIA).

*Department* means the Department of the Interior.

*Gainful Employment* means work resulting in self-sufficiency.

*Indian* means any person who is a member of a federally recognized tribe, including Alaska Natives.

*Individual Self-Sufficiency Plan (ISP)* means a written plan designed to meet the goal of employment through specific actions that meet the needs of the individual. The plan is jointly developed and is signed by both the applicant and the servicing office. The ISP addresses the client's barriers to employment and a plan of action to address barriers.

*Must* means a mandatory act or requirement.

*On or Near Reservation* means those areas or communities adjacent or contiguous to reservations, or service areas where Job Training and Placement programs are provided upon approval of the Assistant Secretary-Indian Affairs or his designated representative. For purposes of this program and services, Alaska is included in this definition.

*On-the-Job-Training (OJT)* means a written agreement for an employer to provide training to a participant who engages in productive work that provides knowledge or skills essential to the full and adequate performance of the job. The employer receives reimbursement from the Job Training Program for the wage rate of the participant. OJT may be used to meet the goal(s) in the participant's ISP, as long as it does not exceed 24 months.

*Permanent Employment* means a year-round job or one that re-occurs seasonally, lasting at least 90 days per work season.

*Service Area* means a location agreed to by the tribe with the Bureau to provide Job Training and Placement Services.

*Servicing Office* means the Bureau office or the office of the tribal service provider that administers the Job Training and Placement Program.

*Tribal Governing Body* means the recognized entity empowered to exercise governmental authority over a federally recognized tribe.

*Tribal Service Provider* means a tribe or tribal organization that administers the Job Training and Placement Program pursuant to Public Law 93–638 or Public Law 102–477.

*Tribe* means any tribal entity listed in the FEDERAL REGISTER notice that the Secretary of the Interior publishes under Public Law 103–454, 108 Stat. 4791.

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*Underemployed* means an individual who is working but whose income is insufficient to meet essential needs.

*Unemployed* means an individual who is not currently working or employed.

*Unmet need* means the difference between available resources and the cost associated with finding gainful employment.

*Vocational Training* means technical training that leads to permanent and gainful employment.

*We, us, or our* means the Secretary of the Interior, or an official in the Office of the Assistant Secretary—Indian Affairs, or an official in the Bureau of Indian Affairs to whom the Secretary has delegated authority.

### § 26.2 Who authorizes this collection of information?

The information collection requirements contained in this part have been approved by the Office of Management and Budget under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), and assigned OMB clearance number 1076-0062. Response is required to obtain a benefit. A Federal agency may not conduct or sponsor, and you are not required to respond to a collection of information unless the form or regulation requesting the information has a currently valid OMB Control Number.

### § 26.3 What is the purpose of the Job Placement and Training Program?

The purpose of the Job Placement and Training Program is to assist eligible applicants to obtain job skills and to find and retain a job leading to self-sufficiency.

### § 26.4 Who administers the Job Placement and Training Program?

The Job Placement and Training Program is administered by the Bureau of Indian Affairs or a tribal service provider. Tribes are encouraged to provide services directly to Indians by either entering into a Public Law 93-638 contract with the Bureau or a compact with the Office of Self-Governance. Tribes may also consolidate Job Placement and Training Program funds in accordance with the provisions of the Indian Employment, Training, and Related Services Demonstration Act of 1992, Public Law 102-477.

### § 26.5 Who may be eligible for Job Placement and Training?

You may apply for assistance for employment or training if all of the following criteria are met:

- (a) You meet the definition of Indian in § 26.1; and
- (b) You are residing on or near an Indian reservation or in a service area, or in the agreed contract service area; and
- (c) You are unemployed or underemployed or need and can benefit from employment assistance as determined by your servicing office; and
- (d) You complete an ISP.

### § 26.6 Who is eligible to receive financial assistance?

Financial assistance is only available to persons:

- (a) Approved for training that will lead to permanent, gainful and meaningful employment; or
- (b) Who have obtained a job and need financial assistance to retain the job, as determined by the servicing office.

### § 26.7 How is financial need established?

You must show that current income and other available resources are not sufficient to meet employment or training goals.

### § 26.8 Where do I go to apply for Job Placement and Training assistance?

You may apply for Job Placement and Training assistance at the servicing office nearest to your current residence.

### § 26.9 How do I apply for assistance?

- (a) You should contact the BIA office or the tribal service provider which is nearest to your current residence to get an application form;
- (b) You must complete the application process as established by your servicing office; and
- (c) You must complete and sign a comprehensive ISP (or an individual development plan (IDP) or employment development plan (EDP), which are synonymous with an ISP).